

## LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY

County Government Center, 11<sup>th</sup> Floor, East Wing  
70 West Hedding Street, San Jose, California 95110  
(408) 299-5127 (408) 295-1613 Fax

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### LOBBYING DISCLOSURE FORM

Applicants for any proceeding involving a proposal pending before the Local Agency Formation Commission must complete this form. (Please see next page for more information and definitions of terms used.)

*Please use additional paper, if necessary.*

DESIGNATED TITLE OF PROPOSAL: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

Name of Lobbyist: \_\_\_\_\_

Person/ Entity Paying Lobbyist: \_\_\_\_\_

Name of Lobbyist: \_\_\_\_\_

Person/ Entity Paying Lobbyist: \_\_\_\_\_

Name of Lobbyist: \_\_\_\_\_

Person/ Entity Paying Lobbyist: \_\_\_\_\_

Name of Lobbyist: \_\_\_\_\_

Person/ Entity Paying Lobbyist: \_\_\_\_\_

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **POLICY AND DEFINITIONS**

### **Definition of lobbyist**

A lobbyist is "an individual or entity who is compensated and who communicates directly with LAFCO Commissioners, Alternates, and/or the Executive Officer to influence the Commission's or the Executive Officer's action on behalf of his client or employer". Communication includes ex parte communications as well as presentations at Commission meetings. This definition does not include:

- a. Any elected public official acting in his official capacity, or any employee of governmental agency acting in the scope of his/her employment.
- b. Any employee of a newspaper or other periodical of general circulation, or radio or television station, acting within the scope of their employment.

### **Filing Schedule**

Any person or entity meeting this definition and who is lobbying the Commission or Executive Director in regard to an application before LAFCO needs to file a declaration prior to the hearing on the LAFCO application, or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them.

Additionally every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. This affidavit is due at the time of application filing and is to be updated, if necessary, one week prior to the hearing date of the application.

The declaration shall be made on a form provided by LAFCO and shall include the name of the lobbyist, the name of the application of interest and the name of the person or entity paying the lobbyist in regard to the application. The declaration shall be signed under penalty of perjury.

### **Filing Office**

Declarations shall be submitted to the LAFCO Executive Director and posted on the web site once it is in operation. The declarations shall become part of the LAFCO file on the application.

### **Enforcement**

Failure of an applicant or a lobbyist to file the declaration, or to identify oneself as a lobbyist prior to speaking on a matter, shall result in the inability of the Commission to take action on the application. In addition, failure to file the declaration or the filing of an erroneous declaration shall result in a penalty of \$500.00, said assessment to be deposited in the LAFCO budget.

### **Effective Date**

These policies shall apply to all LAFCO applications submitted for filing after April 11, 2001.